

**PUBLIC NOTICE
OF INTENT TO PROPOSE OR PROMULGATE
NEW OR CHANGED AGENCY RULES**

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
P.O. Box 83720, Boise, ID 83720-0036**

Docket No. **16-0101-9704**, Air Pollution Control Rules. Incorporates by reference federal regulations under the Clean Air Act. Comment By: December 10, 1997.

Docket No. **16-0301-9704**, Rules Governing Medicaid for Families and Children. Implements waiver deleting the 100-hour rule requirement in determining unemployment/underemployment in a two-parent family and adds new alien rules according to Public Law 105-33. Comment By: November 26, 1997.

Docket No. **16-0304-9705**, Rules Governing the Food Stamp Program. Adds two new categories of eligible legal non-citizens; modifies definition of cooperation by non-custodial parents; increases gross and net income standards and allotment amounts; and makes allowances paid to children with spina bifida born to Viet Nam veterans under P.L. 104-204 are excluded as income for determining eligibility. Comment By: November 26, 1997.

Docket No. **16-0305-9704**, Aid to the Aged, Blind, and Disabled. Revises legal non-citizen eligibility under Public Law 105-33; repeals rules on drug addict and alcoholic eligibility; persons fleeing a felony prosecution or violating probation or parole are not eligible for AABD cash payments; adds that persons convicted in federal or state court for fraudulently misrepresenting residency to obtain benefits from two or more states at the same time are not eligible for AABD cash payments for ten years.

Docket No. **16-0308-9702**, Temporary Assistance for Families in Idaho. Includes Amerasians and Cuban/Haitians as legal non-citizens who, for up to five years from entry to the United States, could potentially be eligible for TAFI. Comment By: November 26, 1997.

Docket No. **16-0309-9712**, Rules Governing Medical Assistance. Allows and governs the provision of in-patient psychiatric hospital services in Institutions for Mental Disease. Comment By: November 26, 1997.

Docket No. **16-0309-9713**, Rules Governing Medical Assistance. Choice for therapeutic equipment is the responsibility of the physician and therapist and cost is included in the fee for service; allows for 6 month physician recertification of services for long term, chronic patients; removes the exclusion of hippotherapy; allows the inclusion of therapeutic equipment for physical, occupational and speech therapy. Comment By: November 26, 1997.

Docket No. **16-0309-9714**, Rules Governing Medical Assistance. Deletes Targeted Case Management for Parenting Teens and their infants which has been replaced. Comment By: November 26, 1997.

Docket No. **16-0309-9715**, Rules Governing Medical Assistance. Removes the age limitation to do surgery for obesity related illnesses. Comment By: November 26, 1997.

Docket No. **16-0309-9716**, Rules Governing Medical Assistance. Implements Governor's reform initiative to obtain an independent review of all durable medical equipment over \$5000 and gives the Department authority to prior authorize DME or contract with a private entity for this function; other changes are clarifications, removal or redundancies and outdated requirements. Comment By: November 26, 1997.

Docket No. **16-0414-9702**, Rules Governing the Low Income Home Energy Assistance Program. Repeal of chapter. Comment By: November 26, 1997.

Docket No. **16-0414-9703**, Rules Governing the Low Income Home Energy Assistance Program. Rewrite of chapter complies with federal law. Comment By: November 26, 1997.

**IDAPA 39 - DEPARTMENT OF TRANSPORTATION
P. O. Box 7129, Boise ID 83707-1129**

Docket No. **39-0270-9701**, Rules Governing Restricted Driving Permits. Authorizes the issuance of restricted driving permits for Administrative License Suspensions, in compliance with HB-284, effective January 1, 1998. Comment By: November 26, 1997.

Docket No. **39-0272-9701**, Rules Governing Administrative License Suspensions. Authorizes the Division of Motor Vehicles to conduct telephone hearings for Administrative License Suspensions (ALS); allows ALS reconsiderations after final orders; increases notification and document deadlines from 3 to 5 days; and identifies when a peace officer cannot issue a temporary permit. Comment By: November 26, 1997.

Docket No. **39-0308-9701**, Rules Governing Prequalification of Variable Load Suspension Axles and other Auxiliary Axles. Allows Port of Entry inspectors to weigh prequalified variable load suspension axles if they have reason to believe that the axle is overweight or is not carrying sufficient weight for the group of axles. Comment By: November 26, 1997.

PUBLIC HEARINGS - Public Hearings have been scheduled for the following dockets:

Department of Health and Welfare

Docket No. **16-0101-9704** - Rules Governing the Control of Air Pollution in Idaho

Idaho Board of Pharmacy

Docket No. **27-0101-9701** - Rules of the Board of Pharmacy

Please refer to the Idaho Administrative Bulletin, **November 5, 1997, Volume 97-11** for notices and text of all rule-makings, public hearing schedules, governor's executives orders, and agency contact names.

Citizens of your county can view all issues of the Idaho Administrative Bulletin at the county law libraries.

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription information and ordering call (208) 334-3577 or write the Office of the Administrative Rules Coordinator, Department of Administration, 650 W. State St., Room 100, Boise, Idaho 83720. Visa and Mastercard accepted.

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